

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DAVID R. KAUFFMAN,	:
Plaintiff	:
v.	: Case No. 3:23-cv-239-KRG-KAP
BARRY SMITH, <i>et al.</i> ,	:
Defendants	:

Memorandum Order

Plaintiff's February objections at ECF no. 24 to my order at ECF no. 20 are still pending. Plaintiff's April objections at ECF no. 41 to my order at ECF no. 35, including the portion denying his motion for my recusal, are still pending. Plaintiff's September objections at ECF no. 74 to my order at ECF no. 70, are still pending. This housekeeping order rules on motions filed since then. I will not spend the more extensive time that the motions to dismiss require until I know whether I will continue in this case. As always, parties can appeal from my nondispositive orders to the presiding district judge.

Plaintiff's motions at ECF no. 71, ECF no. 77, ECF no. 80, ECF no. 81, ECF no. 84, and ECF no. 85 are denied. As with the previous tranche, they are meritless. Plaintiff is still not going to be granted a special exemption from the DOC's mail policies, ECF no. 71, it is frivolous to seek sanctions against opposing counsel based on an unsupported and in fact conclusory accusation that the legal and factual positions counsel takes are incorrect, ECF no. 77, the motion for an extension of time to file a certificate of merit presents a series of hypothetical futures that plaintiff wants approval for in advance of plaintiff actually presenting an issue for the court to rule on, ECF no. 80, plaintiff's request for a Rule 16 conference asks for something meaningless until after the motions to dismiss are decided, ECF no. 81, and plaintiff's motions that are more ancillary paper to his frivolous motion for sanctions are unnecessary wastes of time, ECF no. 84, ECF no. 85.

DATE: November 4, 2024



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Keith A. Pesto,  
United States Magistrate Judge

Notice to counsel by ECF and by U.S. Mail to:

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